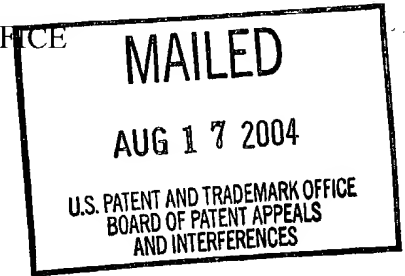


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte AMIT KUMAR SARKHEL and CHARLES G. WOYCHIK

Application No. 09/771,240

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on July 9, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

The Examiner's Answer, mailed February 13, 2004, authorized entry of the Amendment After Final filed March 19, 2003. It is not evident from the record that the Amendment After Final has been physically entered into the file.

It is noted that the application serial number identified on the Advisory Action mailed April 4, 2003, is not consistent with the application serial number for this pending application.

Application No. 09/771,240

This causes confusion, for it is unclear as to whether the Advisory Action is meant for the instant application or the other. Appropriate correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner for

- 1) entry of the Amendment After Final filed March 19, 2003;
- 2) clarification of the Advisory Action filed April 4, 2003; and
- 3) for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', with a long horizontal line extending to the right.

DALE M. SHAW
PROGRAM AND RESOURCE
ADMINISTRATOR
(703)308-9797

DMS/dpv
RA04-0724

Application No. 09/771,240

Anderson, Kill & Olick, PC
1251 Avenue of the Americas
New York, NY 10020-1182

Application No. 09/771,240

Anderson, Kill & Olick, PC
1251 Avenue of the Americas
New York, NY 10020-1182